

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

UNITED STATES OF AMERICA,	§	
	§	
VS.	§	CIVIL ACTION NO. 7:20-CV-00334
	§	
1.494 ACRE OF LAND, MORE OR LESS, <i>et</i>	§	
<i>al.</i> ,	§	
	§	
Defendants.	§	

**AGREED ORDER ESTABLISHING JUST COMPENSATION, GRANTING
POSSESSION, DISBURSING FUNDS ON DEPOSIT IN THE REGISTRY OF THE
COURT, AND CLOSING CASE**

Pursuant to the “Joint Stipulation and Motion for Order Establishing Just Compensation, Granting Possession, Disbursing Funds on Deposit in the Registry of the Court, and Closing Case”¹ filed by the United States of America (“United States”) and the undersigned Defendants, IRMA HILDA SANDOVAL, JOSE RUFINO SANDOVAL, JR., ALICIA SANDOVAL CANTU, ANGELICA SANDOVAL BARRERA, ADELIZA SANDOVAL CARDENAS, JOEL SANDOVAL, MARIA BERTHA SANDOVAL GUERRA, JAVIER IVAN SANDOVAL, HERNAN GUERRA, JR., ADRIAN GUERRA, and JOSE ADAN GUERRA, and the Court **ORDERS** that:

1. The full and just compensation payable by the United States for the taking of Tract RGV-RGC-2026 shall be the sum of Forty-Nine Thousand, Six Hundred Dollars and 00/100 (\$49,600.00) plus any accrued interest, which sum is all inclusive and in full satisfaction of any claims of whatsoever nature by the undersigned Defendants, IRMA HILDA SANDOVAL, JOSE RUFINO SANDOVAL, JR., ALICIA SANDOVAL CANTU,

¹ Dkt. No. 59.

ANGELICA SANDOVAL BARRERA, ADELIZA SANDOVAL CARDENAS, JOEL SANDOVAL, MARIA BERTHA SANDOVAL GUERRA, JAVIER IVAN SANDOVAL, HERNAN GUERRA, JR., ADRIAN GUERRA, and JOSE ADAN GUERRA against the United States for the institution and prosecution of the above-captioned action.

2. Judgment shall be and is hereby entered against the United States in the amount of Forty-Nine Thousand, Six Hundred Dollars and 00/100 (\$49,600.00) plus any accrued interest for the taking of Tract RGV-RGC-2026.
3. On December 9, 2020, the United States deposited a check in the amount of Forty-Nine Thousand, Six Hundred Dollars and 00/100 (\$49,600.00) into the Registry of the Court² and upon said deposit, title to Tract RGV-RGC-2026 vested in the United States by operation of law.
4. The United States shall be and is hereby entitled to immediate possession of Tract RGV-RGC-2026 and all persons in possession or control of the interests taken in this property are hereby **ORDERED** to surrender possession of same to the United States of the condemned estate³:

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation and maintenance of the border barrier.

5. There are no outstanding delinquent *ad valorem* taxes or assessments owing as to Tract RGV-RGC-2026.

² Dkt. No. 14 at 1.

³ Dkt. No. 2-1 at 14, Schedule "E."

6. The stipulated just compensation remains on deposit in the Court's Registry. The Clerk of Court shall now, without further order of the Court, disburse the total sum of **Forty-Nine Thousand, Six Hundred Dollars and 00/100 (\$49,600.00), along with any accrued interest earned thereon while on deposit**, payable to the order of:
 1. **\$5,510.56** shall be payable by check to **Irma Hilda Sandoval** with accrued interest from date of deposit.
 2. **\$5,510.56** shall be payable by check to **Jose Rufino Sandoval, Jr.** with accrued interest from date of deposit.
 3. **\$5,510.56** shall be payable by check to **Alicia Sandoval Cantu** with accrued interest from date of deposit.
 4. **\$5,510.56** shall be payable by check to **Angelica Sandoval Barrera** with accrued interest from date of deposit.
 5. **\$5,510.56** shall be payable by check to **Adeliza Sandoval Cardenas** with accrued interest from date of deposit.
 6. **\$5,510.56** shall be payable by check to **Joel Sandoval** with accrued interest from date of deposit.
 7. **\$5,510.56** shall be payable by check to **Maria Bertha Sandoval Guerra** with accrued interest from date of deposit.
 8. **\$5,510.56** shall be payable by check to **Javier Ivan Sandoval** with accrued interest from date of deposit.
 9. **\$1,838.50** shall be payable by check to **Hernan Guerra, Jr.** with accrued interest from date of deposit.
 10. **\$1,838.51** shall be payable by check to **Adrian Guerra** with accrued interest from date of deposit.
 11. **\$1,838.51** shall be payable by check to **Jose Adan Guerra** with accrued interest from date of deposit.
7. Defendants warrant (a) that they are the sole owners of the Subject Property taken in this proceeding on the date of taking; (b) that they have exclusive right to the compensation,

herein; excepting the interests of parties having liens, leases, encumbrances of record, and unpaid taxes and assessments, if any; and (c) that no other party is entitled to the same or any part thereof by reason of any unrecorded agreement.

8. In the event that any other party is ultimately determined by a court of competent jurisdiction to have any right to receive compensation for the interest in the property taken in this proceeding, Defendants shall refund into the Registry of the Court the compensation distributed herein, or such part thereof as the Court may direct, with interest thereon at an annual rate provided in 40 U.S.C. § 3116 from the date of receipt of the respective deposit by Defendants to the date of repayment into the Registry of the Court.
9. Defendants shall be responsible for their own legal fees, costs, and expenses, including attorney fees, consultant fees, and any other expenses or costs.
10. There being no other outstanding taxes or assessments due or owing on Tract RGV-RGC-2026, Defendants are responsible for the payment of any additional taxes or assessments which they otherwise owe on the interest in the property taken in this proceeding on the date of taking.
11. Defendants shall take no appeal from any rulings or judgments made by the Court in this action, and the parties consent to the entry of all motions, orders, and judgments necessary to effectuate this stipulated judgment.
12. Defendants shall save and hold harmless the United States from all claims or liability resulting from any unrecorded leases or agreements affecting the interest in the property taken in this proceeding on the date of taking.
13. This agreed order is binding on the heirs, trustees, executors, administrators, devisees, successors, assigns, agents, and representatives of Defendants.

14. All issues have been resolved as to Tract RGV-RGC-2026, including any delinquent taxes and charges. Accordingly, the claims and interests of Defendants are hereby **resolved and there are no further issues to consider in this matter**. The Clerk of the Court is ORDERED to close this case.

SO ORDERED October 25, 2021, at McAllen, Texas.



Randy Crane
United States District Judge

